

4VAC15-20-66

Admittance, parking, or other use fee at certain department-owned and department-managed facilities.

Summary:

This proposal aligns the regulation with the Code of Virginia (§ 29.1-113) after the Code was amended to remove mandatory fees at department boating access sites. The intent is to not charge a fee at department-owned or department-managed boat ramps.

Proposed language of amendment:

4VAC15-20-66. Admittance, parking, or other use fee at certain department-owned and department-managed facilities.

A. Pursuant to the authority of the board under § 29.1-103 (14) of the Code of Virginia and in accordance with § 29.1-113 of the Code of Virginia, a daily fee of \$3.00 or an annual fee equal to the price of an annual basic state resident fishing or hunting license is established for admittance, parking, or other use at department-owned or department-managed lands ~~boat launch sites~~, and public fishing lakes. Such fee shall not apply to (i) any person holding a valid hunting, trapping, or fishing license, or a current certificate of boat registration issued by the department; (ii) persons 16 years of age or younger; or (iii) ~~any person who is a passenger in but not the owner or operator of a paddlecraft or registered vessel.~~ the use of department-owned boat ramps.

B. Any person violating this section may be assessed a civil penalty of \$50 in lieu of any criminal penalty.

C. The director may waive fees for any person, group, or organization whenever such action is deemed to be in the department's interest. Any or all facilities may be closed by the director without notice due to an emergency or natural disaster. Full refunds or credits may be issued whenever the closure prevents any use of the facility during the term of the permit. Partial refunds of fees may be made in the interest of providing better customer service.

D. The director may allow deviations from established fees in the form of discounts or special promotions for the purpose of stimulating visitation and use of departmental facilities.

Rationale:

The intent of this change is to align our regulations with the Code of Virginia (§ 29.1-113). The Code was amended in 2022 and this proposed regulation amendment removes the access fee requirements from department-owned or department-managed boat ramps.